PTO/SIB/21 (09-04)

Under the Paperwork Reduction Act of 1995, m	U.U.	. Patent and Ti	Approved for use through 07/31/2006, ONB 0 rademark Office; U.S. DEPARTMENT OF CO	MMERCE	
Onder the Functional State of Function	Application Number	09/899,767	· · · · · · · · · · · · · · · · · · ·	A HUITIDET.	
TRANSMITTAL	Filing Date	July 5, 200	July 5, 2001		
FORM	First Named Inventor	Thomas E.			
	Art Unit	1639	CENTRAL	<del>120 KGE</del> V	
(to be used for all correspondence efter initial fili	Examiner Name	My Chau T	My Chau T Tran FEB U		
· .	Attorney Docket Number	105557	<del></del>		
Total Number of Pages in This Submission					
	ENCLOSURES (Check	ili that apply	After Allowance Communication	n to TC	
Fee Transmittal Form	Drawing(s)		Alter Allowance Communication	in to IC	
Fee Attached	Licensing-related Papers	Appeal Communication to El of Appeals and Interferences		rd	
Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts under 37 CFR 1.52 or 1.53	Petition Petition to Convert to a Provisional Application Power of Attorney, Revoca Change of Correspondenc Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Remarks	e Address	Appeal Communication to 1°C (Appeal Notice, Brief, Reply Eirle Proprietary Information  Status Letter  Other Enclosure(s) (please Ide below):  Statement of timely transmission Office Action dated Nov. 16, 2004 Report of Successful transmission vi USPTO transmission receipt	entify	
SIGNAT	URE OF APPLICANT, ATT	ORNEY, C	OR AGENT		
Firm Name UOP LLC			· · · · · · · · · · · · · · · · · · ·		
Signature Manual (	Maco				
Printed name Maryann Maas		···			
Date Feb. 8, 20	Feb. 8, 2005 Reg. No. 38,954				
CE  I hereby certify that this correspondence is be sufficient postage as first class mail in an enve	RTIFICATE OF TRANSMIS	PTO or depos	sited with the United States Postal Service	ce with 450 on	
the date shown below: Signature	entell Vain	celia			
Typed or printed name Margherita M. Lari			Date Fabruay 8, 20	25	

This collection of information is required by 37 CFR 1.5. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22513-1450, or facsimile transmitted to the U.S. Patent and Trademark Office.						
Name (Print/Type)	Margherita M. Laricchia	Fax # (if faxed)	703-872-9306			
Signature	Harfrente U. Laughia	Date	February 8, 2005			

Attorney's Docket No. 105557

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Thomas E. Mailouk et al.	) 	
Serial No. 09/899,767	) Examiner: )	My Chau T Tran
Filed: July 5, 2001	Art Unit:	1639
Method of Screening Compositions for Electrocatalytic Activity in a Gas Diffusion Electrode	, ) )	

### STATEMENT OF TIMELY TRANSMISSION UNDER 37 C.F.R. § 1.8

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

We have noted that our response to the Office Action dated November 9, 2004 had not yet been logged into the PAIRS system although it was faxed on November 16. 2004. For the Examiner's convenience, attached please find a copy of the response to the Office Action. The response includes amendments and a request for reconsideration.

The response was transmitted via facsimile to the U.S. Patent and Trademark Office on November 16, 2004 as shown in the signed certificate of facsimile on the first page of the response and also shown on the report of successful transmission generated by the facsimile equipment. Also, the successful transmission receipt from the USPTO is included.

Respectfully submitted,

Maryann Maas

Attorney for Applicants

Reg. No. 38,954

(847) 391-2137 (phone)

(847) 391-2387 (fax)

MM/mml

Statement of Timely Transmission 09/899,767

Page 1 of 1

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Name (Print/Type)	Margherita M. Laricchia	Fax # (if faxed)	703-872-9306			
Signature	Marghents M. Lauchie	Date	November 16, 2004			

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

09/899,767

Confirmation No. 2345

Applicant

Thomas E. Mallouk et al.

:

July 5, 2001

TC/A.U.

Filed

1639

Examiner

My-Chau T Tran

Docket No.

105557

Customer No.

23490

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

#### REQUEST FOR RECONSIDERATION AFTER FINAL UNDER 37 C.F.R. §1.116

In response to the Advisory Action dated November 9, 2004, applicants request reconsideration of Claims 1-3, 6-10, 11, and 33-35 in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this response. Since the amendments in applicants' response of October 15, 2004 were not entered, the indications of material added or deleted and the status identifiers in the presently requested amendments are with reference to the last set of entered claims, submitted June 3, 2004.

Remarks begin on page 4 of this response.